## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 2812

Examiner: Mr. Andre C. Stevenson

In re PATENT APPLICATION of

Applicant(s) : Daigo HOSHINO et al )

Appln. No. : 10/618,661 )

Filed : July 15, 2003 )

For : METHOD OF MEASURING )
DEFOCUSING AND METHOD OF )

OBTAINING CORRECT FOCUSING )

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

This is an information disclosure statement submitted under 37 CFR 1.97-1.98, within the time period specified by 37 CFR 1.97(c).

A Form PTO-1449 and copies of the references listed therein are attached. One reference is an international publication that is written in the Japanese language. English language information about the international publication is being provided in the form of the other reference, which appears to be the U.S. counterpart.

The international publication was cited by the Japanese Patent Office during prosecution of the Japanese application whose priority is claimed in the present U.S. application. An English translation of a relevant portion of the Japanese Office Action is enclosed to provide further English language information about the relevance of the reference.

CLOSEBAC CHARGE any further The Japanese Office Action was mailed on January 27, 2004. Accordingly, pursuant to 37 C.F.R. § 1.97(c)(1), it is hereby certified that the international publication was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

In view of the foregoing, it is respectfully requested that the references be considered and made of record.

Respectfully submitted,

Allen Wood

(Registration No. 28,134)

Customer No. 23995

AW/rw

| FORM PTO-1449   |                          |                         |         | Atty Docket                    | Application No. 10/618,661 |               |                  |  |
|---|--------------------------|-------------------------|---------|--------------------------------|----------------------------|---------------|------------------|--|
| INFORMATION DISCLOSURE STATEMENT  |                          |                         |         | OKI 360                        |                            |               |                  |  |
| MAR 1 1 2004 6  |                          |                         |         | Applicant  Daigo HOSHINO et al |                            |               |                  |  |
| E TOMOGRAPHICA CHICA  |                          |                         |         | Filing Date                    | Group Unit                 |               |                  |  |
| A TONDEMPRING.  |                          |                         |         | July 15, 2003                  | 2812                       |               |                  |  |
|   |                          |                         |         |                                |                            |               |                  |  |
| Examiner<br>Initial   |                          | Document<br>Number      | Date    | Name                           | Class                      | Sub-<br>Class | Filing<br>Date   |  |
|   | AA                       | 5,856,053               | 01/1999 | Watanabe                       |                            |               | 12/1996          |  |
|   | AB                       |                         |         |                                |                            |               |                  |  |
|   | AC                       |                         |         |                                |                            |               |                  |  |
|   | AD                       |                         |         |                                |                            |               |                  |  |
|   | AE                       |                         |         |                                |                            |               |                  |  |
|   | AF                       |                         |         |                                |                            |               |                  |  |
|   | AG                       |                         |         |                                |                            |               |                  |  |
|   | AH                       |                         |         |                                |                            |               |                  |  |
| FOREIGN PATENT DOCUMENTS  |                          |                         |         |                                |                            |               |                  |  |
|   |                          | Document<br>Number Date |         | Country                        | Class                      | Sub-<br>Class | Trans-<br>lation |  |
|   | AI                       | WO 95/10849             | 10/1994 | International                  |                            |               | NO               |  |
|   | AJ                       |                         |         |                                |                            |               |                  |  |
|   | AK                       |                         |         |                                |                            |               |                  |  |
|   | AL                       |                         |         |                                |                            |               |                  |  |
|   | AM                       |                         |         |                                |                            |               |                  |  |
|   | AN                       |                         |         |                                |                            |               |                  |  |
|   | AO                       |                         |         |                                |                            |               |                  |  |
| OTHER (Including Author, Title, Date, Pertinent Pages, etc.)  |                          |                         |         |                                |                            |               |                  |  |
| ,   | AP                       |                         |         |                                |                            |               |                  |  |
|   | AQ                       |                         |         |                                |                            |               |                  |  |
|   | AR                       |                         |         | <del></del>                    |                            | _             |                  |  |
| Examiner  | Examiner Date Considered |                         |         |                                |                            |               |                  |  |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through |                          |                         |         |                                |                            |               |                  |  |
| citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.    |                          |                         |         |                                |                            |               |                  |  |